

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
MONDAY, APRIL 23, 2012
7:00 P.M. – TOWN HALL**

PRESENT: STEPHEN BANNON
 ANDREW BLECHMAN
 ALANA CHERNILA
 DEB PHILLIPS
 SEAN STANTON
 KEVIN O'DONNELL, TOWN MANAGER

1. CALL TO ORDER

Sean Stanton called the meeting to order at 7:00 P.M.

2. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS:

Andrew Blechman said that it is great to be the #1 Small Town in America. He asked if there are any plans to publicize this title; a banner in town or through the Town or Chamber of Commerce website. Andrew said that he went hiking on East Mountain and there was a lot of trash and lean-to's set up. He said it is a disgrace and suggested that someone go up the mountain to take care of it.

A. DISCUSSION OF UPCOMING MEETINGS IN THE FOLLOWING MONTH

No discussion

3. TOWN MANAGER'S REPORT:

Kevin O'Donnell announced that the Mass. DOT Public Hearing will take place on May 3rd at 7:00 PM at Crissey Farm. He encouraged all to attend.

Kevin said that they are still 'recruiting' for the Cultural Arts Council, Swap Shack volunteers and Town Charter Review Committee volunteers.

Kevin O'Donnell read the citation naming Great Barrington the #1 small town in America. It was signed by the Speaker of the House and presented to the Town by Rep. Pignatelli.

4. CITIZEN SPEAK TIME:

A. GB HISTORICAL COMMISSION - PRESENTATION OF EARLY STREET LIGHTS FOR MAIN AND RAILROAD STREETS, TOWN HALL AND RELATED PROPERTY.

(DISCUSSION)

At the request of the Board, the GB Historical Commission presented pictures from 100 years ago and over time to show the different style of street lights that were used. They also provided pictures of Town Hall over the years. Paul Ivory, Chairman, went over the street lights that were used, in detail.

Andrew Blechman thanked the Historical Commission for their time and suggested that they be given the National Grid options for their review and opinion.

Deb Phillips said that the Board needs to decide which time period they want to reproduce.

David Magadini announced that the Town Meeting will be held on May 7th and the 'Mini-Town Meeting' on April 25 at 6:00 PM. He spoke about the amendments that he is proposing for the Town Charter. He encourages all to come to each meeting and to support his amendments.

5. PUBLIC HEARING:

A. CELLABRATION, INC. D/B/A GRAPE FINDS, JOSEPH P. SMEGAL, MANAGER FOR TRANSFER OF STOCK, FOR NEW OFFICER/DIRECTOR, FOR NEW STOCKHOLDER, FOR A CHANGE OF MANAGER AND A NEW D/B/A ON THE PACKAGE STORE ALL ALCOHOLIC LIQUOR LICENSE TO CELLABRATION, INC. D/B/A NEJAIME'S WINE CELLARS, JOSEPH N. NEJAIME, MANAGER AT 740 MAIN STREET, GREAT BARINGTON MA 01230. (DISCUSSION/VOTE)

a. Open Public Hearing

MOTION: Deb Phillips to open the public hearing

SECOND: Steve Bannon

VOTE: 5-0

b. Explanation of Project – Thomas Hamel, representing Mr. Nejaime, asked for approval of the stock transfer, change of manager, new officers and directors, new stockholder and pledge of the All Alcoholic Package Store Section 12 License. A pledge means that the bank has the right to exercise its security interest and obtain and transfer the license, in the case of default, to a third party.

c. Speak in Favor/Opposition - None

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the public hearing

SECOND: Steve Bannon

VOTE: 5-0

There was discussion about the need for a pledge.

e. Motion re: Findings

MOTION: Deb Phillips to approve the findings of fact on the transfer of stock, new officer/director, new stockholder, change of Manager and a new d/b/a on the All Alcoholic Package Store Liquor License from Cellabration Inc., d/b/a Grape Finds, Joseph P. Smegal, Manager to Cellabration, Inc. d/b/a Nejaime's Wine Cellars, Joseph N. Nejaime, Manager at 740 Main Street, and with the finding that the benefits of the proposal outweigh any possible detrimental impacts.

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – abstain

Alana Chernila – yes

Deb Phillips – yes

Sean Stanton – no

VOTE: 3-1-1 Sean Stanton against and Andrew Blechman abstains

f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips to approve the pledge of the license to Berkshire Bank, transfer of stock, new officer/director, new stockholder, change of Manager and a new d/b/a on the All Alcoholic Package Store Liquor License from Cellabration Inc., d/b/a Grape Finds, Joseph P. Smegal, Manager to Cellabration, Inc. d/b/a Nejaime's Wine Cellars, Joseph N. Nejaime, Manager at 740 Main Street.

SECOND: Steve Bannon

Roll Call Vote:

Steve Bannon – yes

Andrew Blechman – abstain

Alana Chernila – yes

Deb Phillips – yes

Sean Stanton – no

VOTE: 3 -1-1 Sean Stanton against and Andrew Blechman abstains

6. LICENSES OR PERMITS:

- A. JOHN & DEBBIE SCALIA/HOME SWEET HOME DOUGHNUT SHOPPE TO AMEND 2012 COMMON VICTUALLER LICENSE TO INCLUDE OUTDOOR SEATING AT 258 STOCKBRIDGE ROAD. (VOTE)

MOTION: Deb Phillips to approve the amendment to the license.

SECOND: Steve Bannon

VOTE: 5-0

- B. ERIC LI/REGO CONCEPT GB, LLC D/B/A FROYOWORLD FOR 2012 ANNUL COMMON VICTUALLER LICENSE AND TO INCLUDE 2 TABLES WITH 4 CHAIRS OUTSIDE IN FRONT OF THE STORE AT 280 MAIN STREET. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- C. ERIKA BROWN/LIME ROCK PARK FOR PERMISSION TO SHOWCASE RACE AND SPECIALTY CARS ON THE SOUTH SIDE CURB PARKING OF RAILROAD STREET ON THURSDAY, MAY 3, 2012 FROM 5:00 - 9:00 PM. (VOTE)

MOTION: Steve Bannon to approve permit

SECOND: Deb Phillips

VOTE: 5-0

- D. KELLEY VICKERY/BERKSHIRE INTERNATIONAL FILM FESTIVAL (BIFF) FOR ONE DAY WEEKDAY ENTERTAINMENT LICENSE FOR MAY 31, 2012 FROM 9:30 – 10:00 PM IN FRONT OF FIORI'S RESTAURANT (TOP OF RAILROAD STREET). (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- E. KELLEY VICKERY/BERKSHIRE INTERNATIONAL FILM FESTIVAL (BIFF) FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE AT THE MASON LIBRARY, 231 MAIN STREET FOR MAY 31, 2012 FROM 5:30 - 7:30 PM. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- F. KELLEY VICKERY/BERKSHIRE INTERNATIONAL FILM FESTIVAL (BIFF) FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE AT ASTON MAGNA, 30 BERKSHIRE HEIGHTS FOR JUNE 1, 2012 FROM 5:30 - 7:30 PM. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- G. KELLEY VICKERY/BERKSHIRE INTERNATIONAL FILM FESTIVAL (BIFF) FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE IN THE TENT BEHIND TOWN HALL FOR JUNE 2, 2012 FROM 5:30 - 7:30 PM. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- H. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LIQUOR LICENSE FOR APRIL 29, 2012 FROM 11:00 AM - 7:00 PM AT 338 LONG POND ROAD. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- I. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LIQUOR LICENSE FOR MAY 5, 2012 FROM 6:00 PM – 11:00 PM AT 338 LONG POND ROAD. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- J. THE GUTHRIE CENTER/GEORGE LAYE FOR ONE DAY BEER AND WINE LICENSE FOR DATES AS PER LIST ATTACHED FROM 6:00 PM – 12:00 MIDNIGHT AT THE GUTHRIE CENTER, 4 VAN DEUSENVILLE ROAD. (VOTE)

MOTION: Deb Phillips to approve the license.

SECOND: Steve Bannon

VOTE: 5-0

- K. MARLENE GOLDSTEIN/BERKSHIRE COUNTRY HOMES LLC FOR 2012 ANNUAL REAL ESTATE LICENSE. (VOTE)

MOTION: Deb Phillips to approve the real estate license

SECOND: Steve Bannon

VOTE: 5-0

- L. MAY 1, 2012 LICENSE RENEWALS (VOTE)

- REAL ESTATE SIGNS.

MOTION: Deb Phillips to approve the real estate sign renewals as submitted

SECOND: Steve Bannon

VOTE: 5-0

- COIN OPERATED SOFT DRINK AND FOOD MACHINES

MOTION: Deb Phillips to approve the coin operated soft drink and food machines licenses as submitted

SECOND: Alana Chernila

VOTE: 4-0- 1 Steve Bannon recused himself

7. NEW BUSINESS:

A Support of H 01808 – Speed Limits

This would change the current speed limit of 30 mph to 25 mph on local roads.

MOTION: Steve Bannon to endorse adoption of H01808

SECOND: Andrew Blechman

VOTE: 3-2 Deb Phillips and Sean Stanton against

8. OLD BUSINESS:

A. REVISION TO TOWN CHARTER REVIEW COMMITTEE RESOLUTION.

(DISCUSSION/VOTE).

MOTION: Alana Chernila to approve the amended resolution establishing a minimum of 11 members to commence meetings and appoint Peter Fish and June Johnson as members-at-large.

SECOND: Deb Phillips

VOTE: 5-0

B. CONTINUED DISCUSSION OF SOLAR PANEL REGULATION.

Deb Phillips said that she would like to have clarity about what it is they are trying to accomplish.

Steve Bannon said that this is a multi-board issue. He suggested that the Board look back at the minutes from the meeting on February 27 to see what each Boards task is and then set a date to meet again.

Deb Phillips said that her considerations are:

Individual rights

Possibilities of proportional land use

Do we agree that a goal is to reduce the carbon footprint?

The best and highest use of land.

Combined use of land

Deb said that it is the Boards role to invite solar into the town; deciding how and where.

Chris Rembold said that the Master Plan Committee is looking at these topics next week through next month. He said that there may need to be an in-depth public workshop (over a month or 2) for this matter.

Kevin O'Donnell said that he can arrange this.

Alana Chernila asked Chris Rembold to frame the topic in a positive way to get the best and most balanced result.

C. DISCUSSION RE: BOARD SELF EVALUATION PROCESS.

Topic tabled until the 4/30 meeting.

D. DISCUSSION OF MOTIONS BY SELECTBOARD AT TOWN MEETING

Steve Bannon suggested that the Finance Committee Chair and Sean Stanton get together to decide who is making the motions on the articles at the Town Meeting.

9. SELECTMEN'S TIME:

Andrew Blechman asked about the previous discussion regarding a true-up.

Kevin O'Donnell said that he did not receive clear information about this; there is no formal process. He said that it would be hard to quantify.

Andrew asked for a follow up regarding the idling policy with police cruisers.

Andrew Blechman spoke about the possibility of High School students creating a 'no phosphate' cartoon.

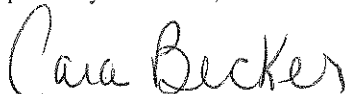
10. MEDIA TIME:

Eileen Mooney asked if the Board would consider putting permits and hearings on a smaller agenda.

11. ADJOURNMENT:

On a motion by Steve Bannon, seconded by Alana Chernila, the Board adjourned its meeting at 9:25 P.M.

Respectfully submitted,



Cara Becker
Recording Secretary